

## REMARKS

In this response to the above-identified Office Action, Applicant respectfully requests reconsideration in view of the above amendments and following remarks. Claims 1 and 6 have been amended. No claims have been added or cancelled. Accordingly, Claims 1, 3-6, 8-13, and 18-21 are pending in the application.

### Claims Rejected Under 35 U.S.C. § 102

Claims 1, 3-6, 8-13, and 18-21 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,098,426 issued to Sklar et al. (hereinafter “Sklar”). Applicant respectfully disagrees for the following reasons.

To anticipate a claim, a single reference must disclose each element of that claim.

As amended, **Claim 1**, in addition to the pre-amended language, further includes:  
[a] system comprising

- an imaging device sensor configured to individually address and read a set of selected lines;
- a processing device for processing data which has been transferred from said imaging device sensor to said processing device; and
- a laser treatment device the position of which is controlled by a laser position control, wherein, while the rest of the image is being transferred, the set of selected lines which has already been transferred is processed to obtain a processing result which is used to position the laser position control of said laser treatment device, and wherein after the image has been fully transferred to a processing device, the full image is processed in order to establish a future set of selected lines based on a tracked landmark.

Examiner has not relied upon and Applicant has not been able to discern any part of Sklar that teaches the above limitations. Thus, Sklar does not teach each of the elements of the claim. Accordingly, reconsideration and withdrawal of the anticipation rejection of this claim are requested.

Independent **Claim 6**, as amended, includes elements similar to those of Claim 1 discussed above. Thus, for at least the reasons discussed above regarding Claim 1, Claim 6 is

not anticipated by Sklar. Accordingly, reconsideration and withdrawal of the anticipation rejection of this claim are requested.

**Claims 3-5, 8-11, and 18-21** depend from independent Claims 1 and 6, respectively, and incorporate the limitations thereof. Thus, at least for the reasons mentioned above in regard to the independent claims, Sklar does not teach each of the elements of the claim. Accordingly, reconsideration and withdrawal of the anticipation rejection of these claims are requested.

### **Claims Rejected Under 35 U.S.C. § 103**

To establish a prima facie case of obviousness, the Examiner must show that the cited references, combined, teach or suggest each of the elements of a claim. See *In re Vaeck*, 947 F.2d 488, 20 USPQ.2d 1438 (Fed. Cir. 1991). Further, the combination of elements must be more than the predictable use of prior art elements according to their established functions. See *KSR International Co. v. Teleflex Inc.*, 550 U.S. \_\_\_, 127 S. Ct. 1727 (2007).

Claims 12 and 13 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Sklar in view of U.S. Pat. No. 5,311,879 issued to Yamada (hereinafter “Yamada”). Applicant respectfully disagrees for the following reasons.

**Claims 12 and 13** depend from independent claims 1 and 6, respectively, and incorporate the limitations thereof. Thus, at least for the reasons mentioned above in regard to the independent claims, and because Examiner has not relied upon and Applicant has been unable to discern any part of Yamada that cures the deficiencies of Sklar, Sklar in view of Yamada does not teach or suggest each of the elements of the claim. Accordingly, reconsideration and withdrawal of the obviousness rejection of this claim are requested.

Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application; the undersigned can be reached at the telephone number set out below.

The Commissioner is hereby authorized to charge any additional fees due or credit any overpayment to Deposit Account No. 50-2421.

Sincerely,

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